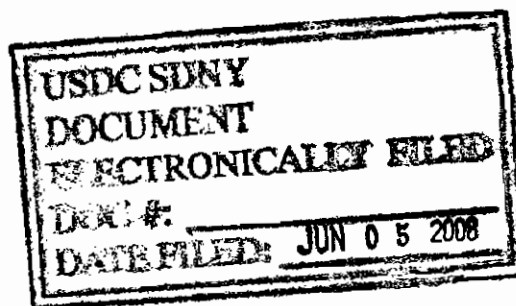


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Attorneys for Plaintiff
 pediped Infant Footwear LLC



UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

PEDIPEP INFANT FOOTWEAR LLC,

Plaintiff,

v.

KUDOS LEATHERGOODS LTD d/b/a
 JACK AND LILY and ROBERT THOMAS
 BUELL, Individually,

Defendants.

CASE NO. 08-CIV-3572 (LTS)

~~AMENDED PROPOSED~~
ORDER TO SHOW CAUSE

*And in light of
 the representations
 by plaintiff's counsel
 made on the record
 at the June 4, 2008,
 hearing
 on the
 application
 and in
 a letter
 of today's
 date,*

Upon Plaintiff's Application for Order to Show Cause re Preliminary Injunction, Declarations, and Memorandum of Law in Support of Plaintiff's Application for Order to Show Cause re Preliminary Injunction, filed June 4, 2008; the Complaint for Trade Dress Infringement, Dilution, and Unfair Competition and exhibits thereto, filed April 14, 2008 and served April 25, 2008; and the First Amended Complaint for Trade Dress Infringement, Dilution, and Unfair Competition and exhibits thereto, filed May 23, 2008, it is

ORDERED that the above-named Defendants show cause before the Court in Courtroom No. 17C, Daniel Patrick Moynihan U.S. Courthouse, 500 Pearl Street, New York, New York 10007, on June 19, 2008 at 5:00pm, why an Order should not be entered preliminarily enjoining Defendants on the terms set forth in Exhibit 1 hereto and granting such further relief as is proper; and it is further

and serve (with a courtesy copy provided for chambers of the undersigned)

ORDERED that Defendants must file any response to the application for a preliminary injunction by June 12, 2008 at 4:30pm—and in default thereof, Plaintiff's requested preliminary injunction ~~shall~~ ^{may} be granted—and Plaintiff shall file any reply within by 12:00pm noon on June 17, 2008, ~~days thereafter~~; and it is further

and serve (with a courtesy copy provided for chambers)

ORDERED that this Order and the motion papers upon which it is made be served no later than June 6, 2008 upon (1) Defendants' Canadian counsel, Roderick H. McCloy and Seema Lal, by overnight courier to Shapiro Hankinson & Knutson Law Corporation, 700-555 Burrard Street, Vancouver, BC V7X 1M8, and email to rhm@shk.ca, upon and slal@shk.ca; (2) Defendant Kudos Leathergoods Ltd d/b/a Jack and Lily by overnight courier to 720 Alexander Street, Vancouver, BC V6A 1E3, and email to info@jackandlily.com; and (3) Defendant Robert Thomas Buell by overnight courier to 7370 Laburnum Street, Vancouver, BC V6P 5N3, and email to info@jackandlily.com, which shall be deemed good and sufficient service hereof.

Dated: June 4, 2008


UNITED STATES DISTRICT JUDGE

Exhibit 1

Defendants, their officers, agents, servants, employees, franchisees, licensees, attorneys, parents, subsidiaries, related companies, and all others in active concert with Kudos Leathergoods Ltd d/b/a Jack and Lily, Robert Thomas Buell, and/or one or more of the foregoing, and each of them, who receive actual notice of this Order, are hereby preliminarily restrained and enjoined from manufacturing, advertising, offering for sale, selling, distributing, marketing, transporting, delivering, or in any way attempting to sell or resell the products identified in Attachment A hereto and any products embodying or packaged in trade dress comprising a substantial portion of the following:

- A. with respect to design, an overall look that is more sophisticated and adult-like than other infant footwear; a black sole with highly visible white hand-stitching, spaced to create a stylized rippled effect around the entire shoe; a unique profile which creates an asymmetrical, rounded-boxy, and formed look; a roomy toe box; a sole visually small compared to the upper; and a white sewn-in tag on the end of the Velcro strap;
- B. with respect to packaging, a sturdy, purple, textured, and hinged box with a clear plastic window; the logo and tag line situated above the plastic window, with the tag line printed in smaller font; a description of the product positioned at the bottom of the box, below the window; the left and right sides of the box adjoining the window of equal proportion to each other; the top portion of the box adjoining the window more than twice the height of the bottom portion of the box adjoining the window, and the logo and company information on the back of the box.

Attachment A



discover. laugh. smile.

THE COLLECTION

ABOUT JACK AND LILY

STORE LOCATOR

CONTACT US

Shopping Bag Customer Service Size Chart

Back to Homepage

NEW 'MY SHOES' by JACK AND LILY
FEATURING OUR EXCLUSIVE RUBBER SOLE PADS. AVAILABLE APRIL 20TH, 2008



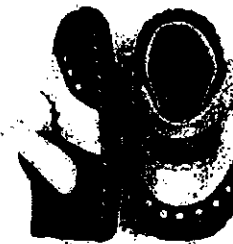
Daisy patch / pink (171)



Daisy patch / mint (172)



Saddle shoe / pink & chocolate (181)



Saddle shoe / black & white (182)



Heart / pink (162)



Heart / chocolate (181)



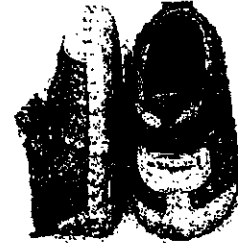
Sandal / white (412)



Sandal / pink (411)



Princess / mint (131)



Sport / pink (303)

JACK AND LILY - COLLECTION



Love hearts / pink (261)



Hibiscus / navy (142)



Love / chocolate (111)



Lovebirds / chocolate (151)



Solid / navy (251)



Solid / chocolate (252)

Anchor / white & light blue
(221)

Anchor / navy & light blue (222)



Prince / chocolate (243)



Prince / light blue (241)



Sport / navy & white (301)



Sport / white & green (302)



Sandal / chocolate (402)



Sandal / navy (401)



Skull / black (201)

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